



Assembly of States Parties

Distr.: General
29 July 2013

Original: English

Twelfth session

The Hague, 20-28 November 2013

Proposed Programme Budget for 2014 of the International Criminal Court

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List of abbreviations and acronyms

Arc	Headquarters building at Maanweg, The Hague, Netherlands
ASG	Assistant Secretary-General
ASP	Assembly of States Parties
AU	African Union
AULO	African Union Liaison Office
AV	Audio-visual
Box 4	Related to the permanent premises project, but not directly related to the construction
CAR	Central African Republic
CASD	Common Administrative Services Division
CBF	Committee on Budget and Finance
CIV	Côte d'Ivoire
CMS	Court Management Section
CoCo	Coordination Council
D	Director
DCS	Division of Court Services
DRC	Democratic Republic of the Congo
DSA	Daily subsistence allowance
DSS	Defence Support Section (integrated in Counsel Support Section - 2010)
DVC	Division of Victims and Counsel (abolished 2010 - sections moved to Office of the Registrar)
ECOS	e-Court operating system
FMU	Facilities Management Unit
FTE	Full-time equivalent
GCDN	Global Communications and Data Network
GS	General Service
GS-OL	General Service (other level)
GS-PL	General Service (principal level)
GSS	General Services Section
GTA	General temporary assistance
HQ	Headquarters
HR	Human resources
IBA	International Bar Association
ICC	International Criminal Court
ICCPP	International Criminal Court Protection Programme
ICT	Information and communication technologies
ICTS	Information and Communication Technologies Section
ICTY	International Criminal Tribunal for the former Yugoslavia
IGO	Intergovernmental organization
ILOAT	International Labour Organization Administrative Tribunal

INTERPOL	International Criminal Police Organization
IOM	Independent Oversight Mechanism
IPSAS	International Public Sector Accounting Standards
IRS	Initial Response Services
IT	Information technologies
JCCD	Jurisdiction, Complementarity and Cooperation Division
LAS	Legal Advisory Section (in OTP)
LASS	Legal Advisory Services Section (in Registry)
LSU	Language Services Unit
LTU	Logistics and Transport Unit
MIS	Management information system
MORSS	Minimum Operating Residential Security Standards
MOSS	Minimum Operating Security Standards
NGO	Non-governmental organization
NYLO	New York Liaison Office
OIA	Office of Internal Audit
OPCD	Office of Public Counsel for the Defence
OPCV	Office of Public Counsel for Victims
OTP	Office of the Prosecutor
P	Professional
PIDS	Public Information and Documentation Section
PDO	Project Director's Office (permanent premises)
SAP	Systems, Applications and Products (data processing)
SG	Strategic goal
SO	Strategic objective
SSS	Security and Safety Section
STIC	Court Interpretation and Translation Section (French acronym)
TFV	Trust Fund for Victims
TRIM	Total records information management
UNDSS	United Nations Department of Safety and Security
UNDU	United Nations Detention Unit
UNON	United Nations Office at Nairobi
UNSMS	United Nations Security Management System
VPRS	Victims Participation and Reparations Section
VTC	Video teleconferencing
VWU	Victims and Witnesses Unit
WCF	Working Capital Fund
2gv	Non-integrated user equipment
3gv	Integrated user equipment

I. Introduction

1. This proposed programme budget for 2014 is submitted on 25 July 2013 by the Registrar of the International Criminal Court (“the Court”) in accordance with financial regulation 3.1 and financial rule 103.2, for the consideration and approval of the Assembly of States Parties (“the Assembly”) at its twelfth session.
2. The budget proposal is for a total of €126.07 million. Of this total:
 - (a) €10.21 million (8.1 per cent) for the Judiciary;
 - (b) €35.74 million (28.35 per cent) for the Office of the Prosecutor;
 - (c) €68.11 million (54.03 per cent) for the Registry;
 - (d) €2.84 million (2.25 per cent) for the Secretariat of the Assembly of States Parties;
 - (e) €5.9 million (4.68 per cent) for the Interim Premises;
 - (f) €1.6 million (1.27 per cent) for the Secretariat of the Trust Fund for Victims;
 - (g) €1.29 million (1.02 per cent) for the Project Director’s Office (permanent premises);
 - (h) €0.17 million (0.13 per cent) for the Permanent Premises Project – Interest; and
 - (i) €0.21 million (0.17 per cent) for the Independent Oversight Mechanism.
3. This reflects an increase of €10.95 million, or 9.5 per cent, over the 2013 approved budget. This is mainly due to an increase in the number of situations, the volume of prosecutorial and judicial activities and the corresponding services and implementation of the new OTP strategy, as well as forward commitments and common system costs.

A. The Court today

4. The Court anticipates that in 2014 it will be dealing with eighteen cases in eight situations. In nine of the cases judicial activities will be ongoing at the Court at the Pre-Trial, Trial and Appeals stages of the proceedings with the accused either in custody or available upon summons to appear. In addition to its investigations and judicial proceedings in Uganda, the Democratic Republic of the Congo, the Central African Republic, Darfur (Sudan), Kenya, Libya, Côte d’Ivoire, and more recently Mali, the Office of the Prosecutor continues to monitor other situations in preliminary examination, including in Afghanistan, Colombia, Georgia, Guinea, Honduras, the Republic of Korea, Nigeria and the Union of the Comoros.
5. In the context of its active situations, the Court has issued twenty-three warrants of arrest against persons suspected of having committed crimes falling within the jurisdiction of the Court, five of whom are currently in custody, while for twelve suspects the warrants have yet to be executed. In addition, nine summons to appear have been issued by the Court, on which basis all nine suspects appeared voluntarily before the Court and are not currently in custody. Out of the cases before the Court, two trial verdicts have been delivered and appeals are pending in these, five (concerning seven persons) are at the trial preparation or trial stage, and in two cases confirmation of charges proceedings are expected to come to a close by the end of the first half of 2014. Seven cases concerning twelve suspects remain in abeyance, owing to failure to execute the relevant warrants of arrest.
6. Starting with the Court’s eighth and most recent situation in Mali, following the Prosecutor’s decision of 16 January of this year to open an investigation in this situation, her activities in this regard are now ongoing and will require substantial resources for her Office in the coming months as well as in 2014.¹

¹ The referral by the Government of Mali of 18 July 2012, which is the fourth referral by a State Party, follows the 30 May 2012 decision by the Malian Cabinet to refer the situation to the Court.

7. In the Pre-Trial Division, in the most recent development Mr. Bosco Ntaganda appeared voluntarily before Pre-Trial Chamber II in March 2013. Mr. Ntaganda was sought by the Court for the enforcement of two warrants of arrest, delivered respectively in 2006 and 2012, in the situation in the Democratic Republic of Congo for crimes allegedly committed in Ituri District since 1 July 2002. The confirmation of charges hearing in the case of *The Prosecutor v. Bosco Ntaganda* is scheduled to commence before Pre-Trial Chamber II on 10 February 2014. An arrest warrant for Mr. Sylvestre Mudacumura, issued on 13 July 2012 by the same Chamber in a separate case, remains outstanding.

8. Also at the Pre-Trial stage, the case of *The Prosecutor v. Laurent Gbagbo* in the situation in Côte d'Ivoire is proceeding. The confirmation of charges hearing took place from 19 to 28 February of this year. On 3 June, Pre-Trial Chamber I decided to adjourn the hearing pursuant to article 61(7)(c)(i) of the Rome Statute, requesting the Prosecutor to consider providing further evidence or conducting further investigations with respect to the charges.² According to the Pre-Trial Chamber's new timetable issued in that Decision of 3 June, a decision on the confirmation of charges is expected to be rendered in April 2014.³ On 11 June 2013, Pre-Trial Chamber I rejected an admissibility challenge submitted by Mr. Gbagbo. Meanwhile investigations by the Prosecutor in the Côte d'Ivoire situation are continuing, and may lead to the arrest of further suspects in due course. In particular, the warrant of arrest against Mr. Gbagbo's wife, Madame Simone Gbagbo, was unsealed on 22 November of last year.

9. In the Libya situation, Pre-Trial Chamber I's warrants of arrest for Mr. Saif Al-Islam Gaddafi and Mr. Abdullah Al-Senussi remain outstanding. Both suspects are currently detained in Libya. The Libyan authorities have indicated their intention to prosecute them at national level. On 31 May 2013 Pre-Trial Chamber I rejected an admissibility challenge submitted by the Libyan authorities pursuant to Article 17 of the Rome Statute with regard to Mr. Saif Al-Islam Gaddafi and reminded Libya of its obligation to surrender him to the Court.⁴ With regard to Mr. Al-Senussi, on 2 April 2013 the Libyan authorities likewise challenged the admissibility of the case.⁵ The Pre-Trial Chamber's decision on this matter is still outstanding.

10. In the Situation in Uganda, where the investigation was opened in 2004, five warrants of arrest have been issued against top members of the Lord's Resistance Army. Following the confirmation of the death of Mr. Lukwiya, the proceedings against him have been terminated. The four remaining suspects are still at large. The case of *The Prosecutor v. Joseph Kony, Vincent Otti, Okot Odhiambo and Dominic Ongwen* remains pending before Pre-Trial Chamber II.

11. Finally, in the Darfur (Sudan) situation arrest warrants issued against Messrs. Ahmad Muhammad Harun, Ali Muhammad Abd-Al-Rahman, Omar Hassan Ahmad Al Bashir and Abdel Raheem Muhammad Hussein remain unexecuted.

12. Turning to activities in the Trial Division, on 21 November of last year Trial Chamber II decided in the case of *The Prosecutor v. Germain Katanga and Mathieu Ngudjolo Chui* to sever the charges against Mr. Germain Katanga and Mr. Mathieu Ngudjolo Chui. On 18 December 2012, the Chamber acquitted Mr. Ngudjolo Chui of all charges. The Prosecutor has appealed the acquittal and appeals proceedings are on-going. Meanwhile, trial proceedings against Mr. Katanga continue and a judgment is expected by the end of this year.

13. In the case of *The Prosecutor v. Jean-Pierre Bemba Gombo*, the presentation of evidence by the defence is on-going and will continue into the autumn of this year. It will be followed by the parties' closing submissions, deliberations by the Chamber and ultimately a judgment pursuant to article 74 of the Statute in 2014.

² Decision adjourning the hearing on the confirmation of charges pursuant to article 61(7)(c)(i) of the Rome Statute, Case No.: ICC-02/11-01/11, 3 June 2013 ("Decision of 3 June").

³ Decision of 3 June, Disposition, p. 24.

⁴ Public redacted Decision on the admissibility of the case against Saif Al-Islam Gaddafi, Case No. ICC 01/11-01/11-344-Red, 31 May 2013. The decision has been appealed by the Libyan authorities. Appeal proceedings are currently ongoing.

⁵ Application on behalf of the Government of Libya relating to Abdullah Al Senussi pursuant to Article 19 of the ICC Statute, No. ICC-01/11-01/11-307-Red2, 2 April 2013.

14. In the third current trial, Trial Chamber IV hearing *The Prosecutor v. Abdallah Banda Abakaer and Saleh Mohammed Jerbo Jamus* (hereinafter “*Banda/Jerbo*”) in the Darfur (Sudan) situation has set the date for the commencement of trial for 5 May 2014. Currently, the case is being prepared for trial. Messrs. Banda and Jerbo are not in the custody of the Court. Following reports of Mr. Jerbo’s death earlier this year, final confirmation is still outstanding.

15. Trial proceedings in both cases in the Kenya Situation are scheduled to commence later this year. In the case of *The Prosecutor v. William Samoei Ruto and Joshua Arap Sang* the trial is set to start on 10 September 2013. In the case of *The Prosecutor v. Uhuru Muigai Kenyatta* the opening of trial hearings is currently planned for 12 November 2013.⁶ In the latter case, on 11 March the Prosecutor notified the Chamber of her withdrawal of the charges against Mr. Francis Muthaura, who had been Mr. Kenyatta’s co-accused. The accused in both Kenya cases are appearing voluntarily on the basis of summons to appear.

16. At the appeals level, after the delivery of the Court’s first judgments in the cases of Mr. Thomas Lubanga Dyilo and Mr. Mathieu Ngudjolo Chui last year, the Appeals Chamber is now for the first time considering appeals on the merits, including – in the *Lubanga* case – on sentencing and reparations for victims. In addition, it is expected that the final decisions of the Trial Chambers in the *Bemba* and *Katanga* cases will be appealed in 2014, including any decisions on sentencing and reparations.

1. Assumptions 2014

17. In accordance with the Court’s practice, the 2014 budget assumptions have been developed and agreed upon by the Organs of the Court based on judicial and prosecutorial work plans for the following year, insofar as these can be accurately estimated as at the end of June 2013.

18. The unpredictable nature of the Court’s judicial work makes it difficult to produce fully reliable assumptions well in advance of the financial period for which the Court is budgeting. It is the Court’s policy to budget only for events which are reasonably certain to occur in the following year.

19. As recognized by the Assembly, the Court, through continuous dialogue with States Parties and with the Committee on Budget and Finance (“the Committee”), has made efforts to ascertain its financial accuracy with a view to improving the transparency, predictability and efficient conduct of the budget process.⁷

20. The Court’s strategic approach towards an improved budgetary process includes a further refinement of the budget assumptions linking the provisions included in the budget proposal to a concrete situation, case and timeframe in the following year. Additionally, as in the past, budget scenarios have been developed, although not included in the budget, providing for activities which are not yet reasonably certain to occur, but for which a certain level of predictability can be assumed. This internal exercise to establish budget scenarios allows the Court to react quickly to possible new developments.

21. Furthermore, the Court has also developed operational parameters, particularly for the Registry, which are commensurate with the expected service levels that may be required to support the implementation of the judicial calendar and the prosecutorial work plan. Budget assumptions, scenarios and parameters are largely interdependent. A selection of the 2014 budget parameters is provided in annex III.

22. The enhanced budget assumptions on judicial and prosecutorial activities developed by the Court, and which underpin the proposed programme budget for 2014, provide for the following: pre-trial activities in two cases (Ntganda and Gbagbo, six months each); trial preparation in one case (Banda/Jerbo, four months); trial hearings in four cases (Kenyatta, 12 months; Ruto/Sang, 12 months; Bemba, four months; Banda/Jerbo, eight months); appeals in four cases (Lubanga, three months; Katanga, 12 months; Ngudjolo, four months;

⁶ See Public redacted version of ‘Decision on commencement date of trial’, ICC-01/09-02/11-763-Red, issued by Trial Chamber V(b) on 20 June 2013.

⁷ Official Records of the Assembly of States Parties to the Rome Statute of the International Criminal Court, Eleventh session, The Hague, 14-22 November 2012 (ICC-ASP/11/20), vol. I, Part III, ICC-ASP/11/Res.1, section I.

Bemba, eight months). The assumptions have been developed based on consecutive hearings.

23. The Office of the Prosecutor envisages that in 2014 it will conduct investigations in eight situations,⁸ namely five full investigations⁹ and ten limited investigations (residual).¹⁰ Preliminary situations are also foreseen in eight situations.

24. The Registry will continue to support the non-judicial aspects of the administration and servicing of the Court. Eight defence teams and eleven victims' representative teams are expected to be financed by the legal aid scheme during 2014.

2. Strategic Planning and the 2014 Budget

25. The Court has finalized the review of its Strategic Plan for 2013-2017, with a focus on further refining the plan as a management tool and strengthening its operational and strategic framework. A draft of the revised Strategic Plan was submitted to States and other stakeholders in 2012, pointing out that the Plan was a living document which the Court would continue to monitor in the light of experience. The Court had indicated that 2013 would be a transitional year between the prior and the revised Strategic Plans and that 2014 would be the first year for which the new Strategic Plan and the priority objectives would be reflected in the proposed budget. The new plan has been designed specifically to enable the Court to further improve its working methods by more closely linking the strategic planning, risk management and budget cycles. The plan contains a statement of the Court's mission, its strategic goals for 2013-2017 and its priority objectives for 2013 and 2014. The priority objectives also include expected results, which will enable the Court to engage annually in a review of the link between the plan and the budget, through planned performance measurement.

26. The list of strategic goals of the Court (2013-2017) is included in annex IV.

B. Macroanalysis

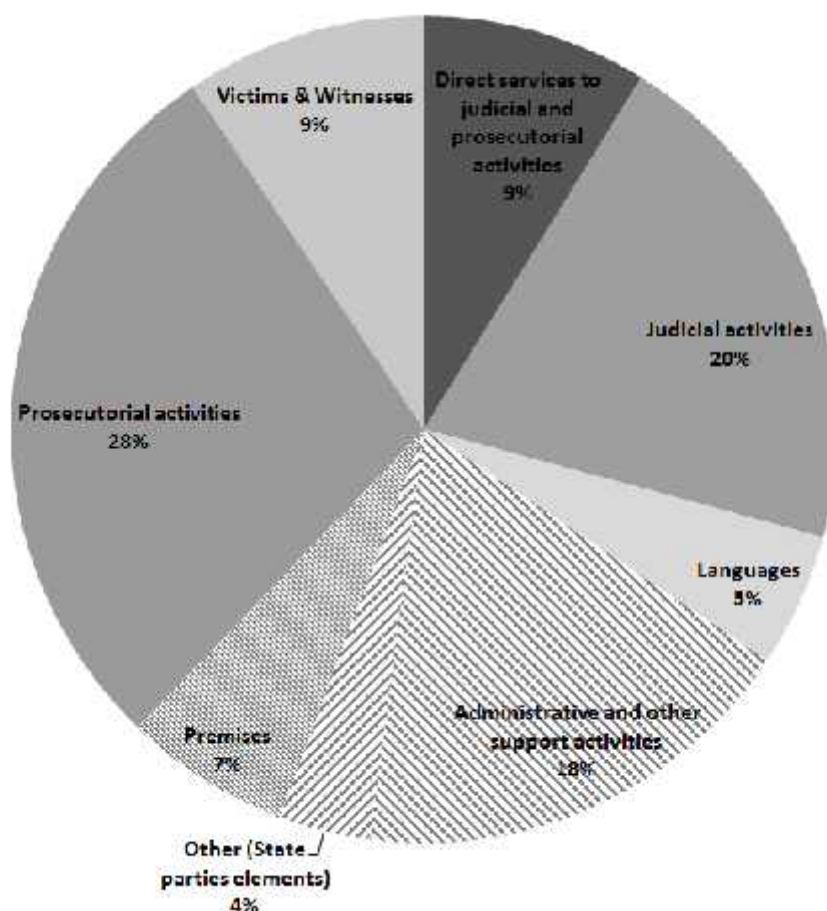
27. The following chart presents the Court's 2014 proposed budget by activity. Provisions for resources directly linked to judicial and prosecutorial activities, including support to victims and witnesses and language services, represent almost 70 per cent of the total budget proposal. Administrative and support functions to the Court and infrastructure amount to 17.7 per cent. Provision for the rent and maintenance of the interim premises represents 6.5 per cent of the budget. This excludes the requirements for the Permanent Premises Project. The Secretariat of the Assembly, the Permanent Premises Project and the Independent Oversight Mechanism, independently grouped under 'Other States Parties elements', based on their independent governance structure, represent an additional 4 per cent. The level of judicial activity is the main driver of the Court's budget, thus reflecting its linkage to the core mandate of the institution.

⁸ CIV, CAR, Libya, Uganda, DRC, Darfur, Kenya, Mali.

⁹ CIV [1 & 2], Mali [1 & 2] and DRC 6.

¹⁰ Libya [1 & 2], CAR, Uganda, DRC [2 & 3], Darfur [1 & 3] and Kenya [1 & 2].

Chart 1: Strategic planning and the 2014 budget



28. The table below illustrates the dynamic evolution of judicial activities at the Court from 2009 to 2014 (proposed), and shows how resources have been allocated to the different situations over time. Accordingly, the provisions for operational support show a steady limited growth over the years, reflecting increases that are consequential on the growth in judicial activities.

Table 1: Strategic dynamic evolution of judicial activities in the Court

Budget in thousands euros and (#cases)	Operational Support	Uganda	DRC	Darfur	CAR	Kenya	Libya	Côte d'Ivoire	Mali
2009 approved	16,198.90 (9 cases)	3,233.40 (1 case)	17,475.40 (4 cases)	7,575.60 (3 cases)	7,390.50 (1 case)	N/A	N/A	N/A	N/A
2010 approved	18,158.30 (11 cases)	3,057.80 (1 case)	17,506.10 (5-6 cases)	6,719.10 (3 cases)	7,485.90 (1-2 cases)	N/A	N/A	N/A	N/A
2011 approved	21,927.00 (13 cases + 2)	2,269.70 (1 case)	13,499.60 (5 cases)	4,728.90 (4 cases)	5,653.30 (1 case)	7740.8 ¹ (2 cases)	4,072.6 ² (2 cases)	N/A	N/A
2012 approved ³	19,940.08 (17 cases)	1,496.87 (1 case)	9,728.31 (6 cases)	3,175.03 (4 cases)	2,985.81 (1 case)	7,412.13 (2 cases)	2,322.57 (2 cases)	3,165.92 (1 case)	N/A
2013 approved ⁴	26,215.10 (18 cases)	813.70 (1 case)	7,526.70 (6 cases)	1,659.50 (4 cases)	3,300.70 (1 case)	6,913.20 (2 cases)	1,659.50 (2 cases)	4,410.60 (2 cases)	N/A
2014 proposed	27,103.20 (18 cases)	1,021.80 (1 case)	8,461.10 (6 cases)	1,292.40 (4 cases)	1,252.50 (1 cases)	4,748.10 (2 cases)	618.00 (2 cases)	7,749.10 (2 cases)	5,856.10 (2 cases)

¹ Includes 2,616 Contingency Fund notification for possible use of extra resource for Kenya situation for period June to December 2011.

² Contingency Fund notification for possible use of extra resource for Libya situation for period May to December 2011.

³ Includes Supplementary Budget for Côte d'Ivoire for period August to December 2012. Excludes Contingency Fund notifications for 2012.

⁴ Excludes year-to-date Contingency Fund notifications for 2013.

29. In long-outstanding situations where resources were required for conducting investigations, presenting and opening cases and establishing the required support structures, the level of expenditure has decreased, since judicial activities are not moving forward due to lack of arrests. In such cases, the Court has been able to redeploy resources to cover arising needs in other situations and cases, while retaining a minimum infrastructure.

30. In those situations where judicial activity is ongoing, the required resources reflect the changing needs directly connected to the proceedings, which in some instances may result in increases due to additional cases or cases at different stages in the proceedings, as is the case with the DRC. In more recently opened situations, such as CIV and Mali, more resources are required, as a result of increased prosecutorial and investigative activities. It is important to note that the different stages of the judicial proceedings also require different levels of support from the Registry on a number of the essential services that it provides to all parties, participants and actors in the proceedings. Overall, it is the level of judicial activity that is the main driver of the Court's budget, thus reflecting its linkage to the core mandate of the institution.

31. The situation-related budget components are subdivided into operations and activities related to the field and court-in-session activities, as summarized in the table below.

Table 2: Budget for court-in-session and field activities situations (in €million)

<i>Item</i>	<i>Proposed budget 2014</i>
Court-in-session	
Operational support	14.26
Trial 1 (Lubanga)	0.99
Trial 2 (Katanga/Ngudjolo)	1.39
Trial 3 (Bemba)	1.27
Trials (Ken 1 & 2)	3.36
Trial 5 (Banda/Jerbo)	2.85
<i>Subtotal court-in-session</i>	<i>24.12</i>
Field operations and activities	
Operational support	12.84
Situation 1 – Uganda	1.02
Situation 2 – DRC	8.46
Situation 3 – Darfur	1.29
Situation 4 – CAR	1.25
Situation 5 – Kenya	4.75
Situation 6 – Libya	0.62
Situation 7 - Côte d'Ivoire	7.75
Situation 8 - Mali	5.86
<i>Subtotal field operations</i>	<i>43.84</i>
Total	67.96

1. Growth analysis: main cost-drivers for 2014

32. In its 2014 proposed programme budget, the Court requests additional funds of €10.95 million, an increase of 9.5 per cent. This increase has five major components: activities in the Mali situation, overall strengthening of investigative capacity, *Banda/Jerbo* trial-related costs, witness protection and relocation and common system costs.

Table 3: Budget 2014 increase – main cost drivers

<i>Item</i>	<i>Increase in € million</i>
Common system costs	1.36
Mali situation	5.55
Strengthening investigative capacity (GTA)	2.20
Witness protection and relocation	1.55
<i>Banda/Jerbo</i> trial-related costs	2.01
Reductions	-1.72
Total	10.95

The above items are not mutually exclusive. The order in which they are presented represents the order in which their impact was considered.

Table 4: Budget 2014 resource growth by major programme

Comparative resource growth Total ICC	Approved Budget 2013 (thousands of euro)			Proposed Budget 2014 (thousands of euro)			Resource growth 2014 vs 2013	
	Basic	Situation- related	Total	Basic	Situation- related	Total	Amount	%
MP I: Judiciary	9,036.8	1,661.1	10,697.9	8,269.5	1,945.4	10,214.9	-483.0	-4.5
MP II: Office of the Prosecutor	5,161.9	23,103.8	28,265.7	5,709.4	30,035.1	35,744.5	7,478.8	26.5
MP III: Registry	33,471.7	31,049.2	64,520.9	33,046.9	35,064.7	68,111.6	3,590.7	5.6
MP IV: Secretariat of the Assembly of States Parties	2,951.7	0	2,951.7	2,836.3	0	2,836.3	-115.4	-3.9
MP V: Rent and maintenance (Interim premises)	5,901.5	0	5,901.5	5,900.7	0	5,900.7	-0.8	
MP VI: Secretariat of the Trust Fund for Victims	712.0	868.0	1,580.0	677.5	917.7	1,595.2	15.2	1.0
MP VII-1: Project Director's Office (Permanent Premises)	996.7	0	996.7	1,289.1	0	1,289.1	292.4	2.9
MP VII-2: Permanent Premises Project Interest	0	0	0	170.3	0	170.3	170.3	
MP VII-5: Independent Oversight Mechanism	205.9	0	205.9	209.1	0	209.1	3.2	1.5
Total	58,438.2	56,682.1	115,120.3	58,108.8	67,962.9	126,071.7	10,951.4	9.5

2. Growth analysis: multi-year cost drivers, 2015 - 2017

33. Following a recommendation of the Committee that the Court identify known or knowable significant multi-year cost drivers including capital replacement, premises and staff costs, and present them clearly to the Assembly to ensure that there are no surprises when a clearly identifiable expense comes due,¹¹ the table below provides a mid-term plan for the knowable significant multi-year costs drivers of the Court for the years 2015-2017.

¹¹ *Official Records ... Tenth session ... 2011* (ICC-ASP/10/20), vol. II, part B.2, para. 37.

Table 5: Analysis of cost drivers

	2015	2016	2017
Staff costs			
<i>Total staff costs</i> ¹²	70,595,600	72,008,000	73,448,000
Capital investment replacements ¹³			
Vehicles	915,000	865,000	225,000
Equipment	548,359	833,575	219,000
<i>Total capital investment replacements</i>	1,463,359	1,698,575	444,000
Premises			
Rent and maintenance of interim premises ¹⁴	3,182,080	1,875,405	0
2 gv (non-integrated user equipment) ¹⁵	0	0	0
TCO (Operation & Maintenance) Permanent Premises ¹⁶	734,500	2,224,000	2,979,000
Operation & Maintenance cost of Interim Premises ¹⁷	2,470,184	0	0
ICC Staff Budget for Permanent Premises and Transition	600,000	300,000	0
Estimated interest payment on host State loan ¹⁸	2,075,015	3,589,626	916,562
Estimated capital & interest payment on host State loan ¹⁹	0	0	5,008,948
TCO (capital replacement) permanent premises ²⁰	0	3,200,000	3,200,000
<i>Total premises</i>	9,061,779	11,189,031	12,104,510
Special programmes/projects			
African Union Liaison Office (AULO) ²¹	447,600	453,900	460,300
IPSAS implementation ²²	173,600	0	0
<i>Total special programmes/projects</i>	621,200	453,900	460,300
Grand total	81,741,938	85,349,506	86,456,810

¹² A two per cent increase has been applied to staffing costs as a steady growth on a compounded basis. In addition, provision has been made for the potential increase in the number of GTA staff in the OTP (resources requested for six months in 2014 have been calculated for 12 months from 2015 onwards).

¹³ Figures have been updated based on CBF/16/5. Additional replacements resulting from the lease negotiation of the Arc building are still unknown and have not been included.

¹⁴ Assume the Court vacates Interim Premises after Q1 2016, based on the current lease agreements. Host state contributes 50 per cent of rent until end 2015 based on current agreements.

¹⁵ Following the joint decision of the Court and the Oversight Committee on 5 July 2013, transition costs (commonly referred to as 2gv) have been moved into the expanded multi-annual construction budget (expanded to €95 million) and removed from the annual budget.

¹⁶ Based on premises handover from contractor end July 2015, therefore start of insurances, etc. Followed by 12 months maintenance by general contractor of all items required to ensure full warranties during period, finishing end July 2016 in line with end of defects period.

¹⁷ General operating expenses in the regular budget includes operations, utilities and user maintenance at the interim premises for the entire year of 2015. No costs are envisaged for 2016.

¹⁸ Based on finalization of the loan at this point. Not applicable to all States Parties; different scales of assessment will have to be applied to States Parties depending on whether or not they utilized the one-time payment option.

¹⁹ Based on finalization of the loan at this point. Not applicable to all States Parties; different scales of assessment will have to be applied to States Parties depending on whether or not they utilized the one-time payment option.

²⁰ Based on Life-Time Approach (LTA) with Medium Risk. Total Cost of Ownership comprises capital replacement costs, but excludes operation and maintenance costs (e.g. utilities and cleaning). The additional amount requested cannot be fully evaluated at this stage of the project and is subject to the work of the TCO (Capital Replacement) working group.

²¹ Indicative costs based on the calculations provided in annex IX of the Proposed Programme Budget for 2014 and dependent on agreement of the African Union and of the government of Ethiopia, and assuming the AULO is set up in 2015.

²² ICC-ASP/10/3. IPSAS projections are based on the plan as approved by the Committee on the premise that the IPSAS project will be live in 2014 and will be completed by June 2015 upon audit of first IPSAS-compliance statement.

(a) Common System Costs

34. Common system staff costs encompass salaries, allowances and benefits. They are described in the booklet entitled “United Nations Common System of Salaries, Allowances and Benefits”, which is available on the website of the International Civil Service Commission (ICSC). Within the common system, salary scales, as well as certain allowances and benefits, are different for Professional and General Service staff. There are close to 50 organizations that follow the United Nations common system, including the Court.

35. The salary calculation methodology used to determine the staff cost budget provision is consistent with past practice and is based on United Nations salary scales. The increase in salary costs is due essentially to the application of the United Nations Common System of Salaries, Allowances and Benefits rules.

36. It should be noted that the UN has so far adopted and published only a new salary scale (2013) for General Service staff, and retained the same 2012 salary scale for Professional Staff. No changes are expected to be announced by the UN before the end of this year.

37. There are also other common system costs which are shared by the Court on a pro-rata basis as established by the UN. Such costs include items such as UN/ICC Global shared security operating costs (the membership fee for the United Nations security management system), UN Local shared security operating costs and UN System Electronic Information Acquisitions Consortium (UNSEIAC) costs for sharing the UN databases.

(b) Vacancy rate

38. In light of the past vacancy rate and current trends, the following vacancy rates have been applied to this proposed budget: five per cent for Major Programme I, eight per cent for Major Programme II and 10 per cent for the Registry and all other major programmes of the Court. The trend in vacancy rates over the past three years is shown in the table below.

Table 6: Trend in vacancy rates over past three years

<i>MP</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>
I	8.0%	2.1%	6.3%
II	6.5%	7.9%	7.9%
III	9.4%	8.2%	9.0%
IV	33.3%	33.3%	22.2%
VI	28.6%	14.3%	0.0%
VII.1	0.0%	0.0%	0.0%
*VII.5	100.0%	100.0%	100.0%

*Post temporarily held by UN staff member on reimbursable loan.

(c) Rent on interim premises

39. The Court will continue to be responsible for paying for the rent and maintenance for its interim premises until 2016. The Court is entitled to terminate the lease on the Haagseveste building with effect from 30 June 2016, subject to a 15-month notice period (i.e., notice of termination to be given on or before 31 March 2015), and has the option of extending it for six-monthly periods. The termination date envisaged for the lease on the Arc and other properties is 31 March 2016, with a notice period of 13 months (on or before 28 February 2015), and again the possibility of six-monthly extensions. The host State has agreed to pay for half of these costs up to the end of 2015, to a maximum of three million euro. The entire costs for 2014, including the host State's share are proposed under Major Programme V.

(d) Capital investments

40. The Court has been continually refining its requirements for capital investment acquisitions and replacements in light of the move to its permanent premises, scheduled for 2016. Following past practice, the requirements for capital investment replacements in the Court's proposed programme budget have been prioritized and reduced to the bare minimum.

41. Table 5 above provides an estimate of capital investment replacements (vehicles and equipment), excluding the requirements for the permanent premises project, foreseen by the Court for the years 2015-2017.

(e) Risk management

42. As reported in the 2013 budget narratives, last year's budgetary situation did not allow the Court to proceed with the risk management strategy internally approved by the Heads of Organs of the Court at the end of 2011. As a consequence, the ongoing risk management exercise at the Court is restricted to the development of a minimalist risk register, based on the 2011 assurance mapping exercise of the United Nations Office of Internal Oversight Services ("OIOS") and focusing on major strategic risks. This temporary approach was chosen to ensure that at least the major strategic risks are being managed to the extent possible, bridging the gap to a more comprehensive risk management system in the future, when funds are made available. While the minimalist version of the risk register continues to be developed, with further details on the probability and impact of each risk, the Court's risk appetite, planned responses and mitigation measures are also being considered. All activities are designed to ensure high-level control while creating a sound basis for a future exercise.

(f) Efficiency measures

43. With regard to the Court's internal efforts to achieve greater efficiency, the Court continues to follow its coordinated strategy developed in 2012. The major focus areas remain the management of efficiency and fairness of judicial activities, as well as other activities, including streamlining coordination mechanisms and assessing the impact of the current relationships between the Court and its external stakeholders. Although it is becoming increasingly difficult to develop additional efficiency measures, most of the activities reported in the eight previous reports on efficiency measures communicated to the Committee continue to be implemented and pushed forward as far as possible. In parallel, the Court's monitoring and reporting on efficiency activities has been further developed. In particular, the categories of efficiencies have been formalized, in an effort to ensure consistency on the measurement of improvements, which will allow all Court stakeholders to monitor the Court's efforts in that matter more efficiently.

(g) Transition Project (including 2gv)

44. According to the current construction schedule, the permanent premises of the Court are due to be ready for handover by 1 September 2015. The transition to the permanent premises consists of the physical move and also includes ICT and security migration, contractual changes with suppliers such as catering, utility services, etc. and the vacation of the interim premises. The Court is using the move to its new premises as an opportunity to improve efficiency by introducing changes in organization and working methods to be followed in the permanent premises.

45. Following the joint decision of the Court and the Oversight Committee of 5 July 2013 on revised governance, a unified project now includes both the construction and the transition activities under the leadership of the Project Director, who becomes the lead manager of the unified project, with reporting lines to the Oversight Committee and the Registrar.

46. The Project Director's Office has subsequently been expanded to incorporate the staff of the former Registry Permanent Premises Office (RPPO formerly PoPP), which has been removed from the Registry budget (MP/III-3770, formerly 3160). This simplifies both

the management structure and reporting lines of the project, increases the transparency of the overall cost of the permanent premises as well as the financial impact to States Parties, and further provides efficiency savings by removing any possible duplication of resources and costs.

47. Following the Project Director's Stage 1 cost review of the unified project, and subject to the agreement of the Assembly at its forthcoming session in late 2013, the existing multi-annual construction project budget totalling €190 million will be expanded by a further €5 million to €195 million to incorporate the Transition Project, thus enabling any savings made on the construction project to partially offset the costs of transition activities. The combined construction and transition budget is reported on separately in the Court's Financial Statements.